

**BEFORE THE UNITED STATES JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

IN RE TEXAS PRISON HEAT
LITIGATION

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§
§
§

MDL Docket No. _____

**EXHIBIT 9 TO MOTION OF DEFENDANTS FOR TRANSFER
OF ACTIONS TO THE SOUTHERN DISTRICT OF TEXAS PURSUANT
TO 28 U.S.C. § 1407 FOR COORDINATED OR CONSOLIDATED
PRETRIAL PROCEEDINGS**

***WEBB* DOCKET**

APPEAL,CASREF,JURY,LEAD,PROTECTIVE-ORDER,STAYED

**U.S. District Court [LIVE]
Eastern District of TEXAS (Tyler)
CIVIL DOCKET FOR CASE #: 6:13-cv-00711-JDL**

Webb et al v. Livingston et al
Assigned to: Magistrate Judge John D. Love
Case in other court: USCA-Federal Circuit, 14-40579
5CA, 14-40586
Texas Southern, 3:13-cv-00218
Cause: 42:1983 Civil Rights Act

Date Filed: 09/25/2013
Jury Demand: Both
Nature of Suit: 550 Prisoner: Civil
Rights
Jurisdiction: Federal Question

Plaintiff

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Individually and as heir at law

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Plaintiff

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Plaintiff

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Plaintiff

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Consol Plaintiff

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a minor

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Consol Plaintiff

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Consol Plaintiff

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Consol Plaintiff

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LEAD ATTORNEY

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Date Filed	#	Docket Text
06/13/2013	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0541-11563992) filed by Casey Akins, Kevin Webb, Edna Webb. (Attachments: # <u>1</u> Civil Cover Sheet)(Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/13/2013)
06/13/2013	<u>2</u>	Request for Issuance of Summons as to All Defendants, filed.(Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/13/2013)
06/14/2013		Summons Issued as to Robert Eason, Tommie Haynes, Brad Livingston, William Stephens, Texas Department of Criminal Justice, Rick Thaler, University of Texas Medical Branch.(dwilkerson,) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/14/2013)
06/14/2013		Document(s) Sent by regular mail to Scott Medlock re: <u>2</u> Summons - Request for Issuance, filed. (dwilkerson,) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/14/2013)
06/17/2013	<u>3</u>	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 9/18/2013 at 10:30 AM in Sixth Floor Courtroom before Judge Gregg Costa(Signed by Judge Gregg Costa)

		Parties notified.(dwilkerson,) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/17/2013)
06/18/2013	<u>4</u>	CERTIFICATE OF INTERESTED PARTIES by Casey Akins, Estate of Robert Allen Webb, Edna Webb, Kevin Webb, filed.(Edwards, Jeffrey) [Transferred from Texas Southern on 9/25/2013.] (Entered: 06/18/2013)
07/11/2013	<u>5</u>	MOTION to Dismiss <i>Under FRCP 12(b)(6)</i> by University of Texas Medical Branch, filed. Motion Docket Date 8/1/2013. (Attachments: # <u>1</u> Proposed Order)(Coogan, Kim) [Transferred from Texas Southern on 9/25/2013.] (Entered: 07/11/2013)
07/23/2013	<u>6</u>	CERTIFICATE OF INTERESTED PARTIES by University of Texas Medical Branch, filed.(Coogan, Kim) [Transferred from Texas Southern on 9/25/2013.] (Entered: 07/23/2013)
07/29/2013	<u>7</u>	NOTICE of Co-Counsel for Defendant by University of Texas Medical Branch, filed. (Mase, Lacey) [Transferred from Texas Southern on 9/25/2013.] (Entered: 07/29/2013)
07/29/2013	<u>8</u>	NOTICE of Co-Counsel for Defendant by University of Texas Medical Branch, filed. (Hime, Erika) [Transferred from Texas Southern on 9/25/2013.] (Entered: 07/29/2013)
07/31/2013	<u>9</u>	RESPONSE to <u>5</u> MOTION to Dismiss <i>Under FRCP 12(b)(6)</i> , filed by Casey Akins, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Proposed Order)(Edwards, Jeffrey) [Transferred from Texas Southern on 9/25/2013.] (Entered: 07/31/2013)
08/02/2013	<u>10</u>	First AMENDED Complaint with Jury Demand against All Defendants filed by Casey Akins, Kevin Webb, Edna Webb, Estate of Robert Allen Webb, Christan Carson.(Edwards, Jeffrey) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/02/2013)
08/06/2013	<u>11</u>	REPLY to Response to <u>5</u> MOTION to Dismiss <i>Under FRCP 12(b)(6)</i> , filed by University of Texas Medical Branch. (Coogan, Kim) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/06/2013)
08/06/2013	<u>12</u>	NOTICE of Vacation by Casey Akins, Estate of Robert Allen Webb, Edna Webb, Kevin Webb, filed. (Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/06/2013)
08/26/2013	<u>13</u>	ANSWER to <u>10</u> Amended Complaint/Counterclaim/Crossclaim etc. by Robert Eason, Tommie Haynes, filed.(Garcia, Bruce) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/26/2013)
08/26/2013	<u>14</u>	DOCKETED IN ERROR, PER COUNSEL. MOTION WILL BE REFILED AS A MOTION TO DISMISS. THIS MOTION TERMINATED. MOTION for Conference (Motion Docket Date 9/16/2013.), MOTION to Dismiss <i>Under FRCP12(b)(6)</i> by Owen Murray, filed. (Attachments: # <u>1</u> Proposed Order)(Mase, Lacey) Modified on 8/26/2013 (ccarnew,). [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/26/2013)
08/26/2013	<u>15</u>	

		MOTION to Dismiss <i>Under FRCP12(b)(6)</i> by Owen Murray, filed. Motion Docket Date 9/16/2013. (Attachments: # <u>1</u> Proposed Order)(Mase, Lacey) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/26/2013)
08/28/2013	<u>16</u>	MOTION to Transfer Case to Eastern District, Tyler Division by Robert Eason, Tommie Haynes, Brad Livingston, Owen Murray, William Stephens, Texas Department of Criminal Justice, Rick Thaler, filed. Motion Docket Date 9/18/2013. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Garcia, Bruce) Modified on 9/24/2013 (Iusmith, 3). [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/28/2013)
08/28/2013	<u>17</u>	NOTICE of Error re: <u>16</u> MOTION to Transfer Case to Eastern District, Tyler Division by Robert Eason, Tommie Haynes, Brad Livingston, William Stephens, Rick Thaler, filed. (Brezik, Patrick) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/28/2013)
08/28/2013	<u>18</u>	AMENDED <u>16</u> MOTION(Motion Docket Date 9/18/2013.), MOTION to Correct by Robert Eason, Tommie Haynes, Brad Livingston, William Stephens, Rick Thaler, filed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Brezik, Patrick) [Transferred from Texas Southern on 9/25/2013.] (Entered: 08/28/2013)
09/11/2013	<u>19</u>	RESPONSE to <u>15</u> MOTION to Dismiss <i>Under FRCP12(b)(6)</i> filed by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Edwards, Jeffrey) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/11/2013)
09/12/2013	<u>20</u>	RESPONSE to <u>16</u> MOTION to Transfer Case to Eastern District, Tyler Division, <u>18</u> AMENDED <u>16</u> MOTION MOTION to Correct filed by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, Part 1, # <u>4</u> Exhibit C, Part 2, # <u>5</u> Exhibit C, Part 3)(Medlock, Scott) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/12/2013)
09/16/2013	<u>21</u>	Agreed JOINT DISCOVERY/CASE MANAGEMENT PLAN by Tommie Haynes, Brad Livingston, Owen Murray, William Stephens, Texas Department of Criminal Justice, Rick Thaler, University of Texas Medical Branch, filed. (Attachments: # <u>1</u> Def's Prop Scheduling, # <u>2</u> Pf's proposed JMP)(Anastasiadis, Demetri) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/16/2013)
09/17/2013	<u>22</u>	CERTIFICATE OF INTERESTED PARTIES by Robert Eason, Tommie Haynes, filed.(Garcia, Bruce) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/17/2013)
09/17/2013	<u>23</u>	CERTIFICATE OF INTERESTED PARTIES by Brad Livingston, William Stephens, Rick Thaler, filed.(Anastasiadis, Demetri) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/17/2013)
09/17/2013	<u>24</u>	REPLY to Response to <u>18</u> AMENDED <u>16</u> MOTION MOTION to Correct, filed by Robert Eason, Tommie Haynes, Brad Livingston, William Stephens, Texas Department of Criminal Justice, Rick Thaler. (Garcia, Bruce) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/17/2013)

09/18/2013	<u>25</u>	NOTICE of Appearance by Matthew J. Greer on behalf of Robert Eason, Tommie Haynes, Texas Department of Criminal Justice, filed. (Greer, Matthew) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/18/2013)
09/18/2013		Minute Entry for proceedings held before Judge Gregg Costa. SCHEDULING CONFERENCE held on 9/18/2013. The Court heard arguments on pending motions. The Court grants the Motion to Transfer Case to the Eastern District of Texas (Docket Entry No. <u>18</u>), for reasons stated on the record. Order to issue. Appearances: Scott Charles Medlock, Jeffrey S Edwards, Matthew J Greer, Bruce R Garcia, Kim J Coogan.(Court Reporter: H. Hall), filed. (arrivera, 3) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/20/2013)
09/23/2013	<u>26</u>	ORDER TO TRANSFER CASE to Eastern District of Texas, Tyler Division Granting <u>16</u> MOTION to Transfer Case to Eastern District, Tyler Division (Signed by Judge Gregg Costa) Parties notified.(lusmith, 3) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/24/2013)
09/24/2013		Interdistrict transfer to Eastern District of Texas, Tyler Division. Case transferred electronically. Case terminated on 9/24/13, filed. (lusmith, 3) [Transferred from Texas Southern on 9/25/2013.] (Entered: 09/24/2013)
09/25/2013	<u>27</u>	Case transferred in from District of Texas Southern; Case Number 3:13-cv-00218. Original file certified copy of transfer order and docket sheet received. (Entered: 09/25/2013)
09/25/2013	<u>28</u>	NOTICE OF CASE ASSIGNMENT. (mll,) (Entered: 09/25/2013)
09/25/2013	<u>29</u>	CASE REFERRED to Magistrate Judge John D Love. (mll,) (Entered: 09/25/2013)
09/25/2013		In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <u>Consent to Proceed Before Magistrate Judge</u> is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice of Consent to Proceed Before Magistrate Judge</i> . (mll,) (Entered: 09/25/2013)
09/26/2013		Case Reassigned to United States Magistrate Judge John Love pursuant to General Order 13-15. (tlh,) (Entered: 09/26/2013)
10/02/2013	<u>30</u>	NOTICE by Owen Murray, University of Texas Medical Branch <i>Notice of Defendant UTMB's Initial Disclosures</i> (Coogan, Kim) (Entered: 10/02/2013)
10/02/2013	<u>31</u>	NOTICE by Owen Murray, University of Texas Medical Branch <i>Amended Notice of Defendants UTMB and Owen Murray's Initial Disclosures</i> (Coogan, Kim) (Entered: 10/02/2013)
10/04/2013	<u>32</u>	ORDER setting Scheduling Conference for 11/6/2013 01:30 PM before Magistrate Judge John D. Love. Signed by Magistrate Judge John D. Love on 10/04/13. (mll,) (Entered: 10/04/2013)

10/09/2013	<u>33</u>	NOTICE of Attorney Appearance by Kim Johnston Coogan, III on behalf of Owen Murray, University of Texas Medical Branch (Coogan, Kim) (Entered: 10/09/2013)
10/10/2013	<u>34</u>	AMENDED SCHEDULING ORDER Dispositive Motions due by 3/4/2014. Final Pretrial Conference set for 5/21/2014 at 01:30 PM before Magistrate Judge John D. Love. Jury Selection set for 6/2/2014 at 09:00AM before Magistrate Judge John D. Love. Jury Trial set for 6/9/2014 at 09:00 AM before Magistrate Judge John D. Love. Scheduling Conference set for 11/6/2013 at 01:30 PM before Magistrate Judge John D. Love. Signed by Magistrate Judge John D. Love on 10/10/2013. (gsg) (Entered: 10/11/2013)
10/18/2013	<u>35</u>	Amended MOTION to Dismiss <i>Under FRCP 12(b)(6)</i> by Owen Murray. (Attachments: # <u>1</u> Text of Proposed Order)(Mase, Lacey) (Entered: 10/18/2013)
10/24/2013	<u>36</u>	NOTICE by Robert Eason, Tommie Haynes, Texas Department of Criminal Justice <i>Advisory to the Court</i> (Garcia, Bruce) (Entered: 10/24/2013)
10/30/2013	<u>37</u>	RESPONSE to Motion re <u>35</u> Amended MOTION to Dismiss <i>Under FRCP 12(b)(6)</i> filed by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Text of Proposed Order) (Edwards, Jeffrey) (Entered: 10/30/2013)
10/30/2013	<u>38</u>	MOTION to Stay <i>Discovery</i> by Brad Livingston, William Stephens, Rick Thaler. (Anastasiadis, Demetri) (Additional attachment(s) added on 10/31/2013: # <u>1</u> Text of Proposed Order) (gsg,). (Entered: 10/30/2013)
10/30/2013	<u>39</u>	NOTICE by Brad Livingston, William Stephens, Rick Thaler <i>Objections to Pfs Discovery</i> (Anastasiadis, Demetri) (Entered: 10/30/2013)
11/04/2013	<u>40</u>	Submission of Proposed Agreed Docket Control/Scheduling order by Casey Akins, Christan Carson, Robert Eason, Estate of Robert Allen Webb, Tommie Haynes, Brad Livingston, Owen Murray, William Stephens, Texas Department of Criminal Justice, Rick Thaler, University of Texas Medical Branch, Edna Webb, Kevin Webb <i>AGREED Proposed Docket Control/Sched Order</i> . (Attachments: # <u>1</u> Agreed Discovery Order, # <u>2</u> Agreed ESI Disc Order, # <u>3</u> Agreed Protective Order)(Anastasiadis, Demetri) (Entered: 11/04/2013)
11/04/2013	<u>41</u>	NOTICE of Attorney Appearance by Shanna Elizabeth Molinare on behalf of Owen Murray, University of Texas Medical Branch (Molinare, Shanna) (Entered: 11/04/2013)
11/04/2013	<u>42</u>	RESPONSE to Motion re <u>38</u> MOTION to Stay <i>Discovery</i> filed by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Additional attachment(s) added on 11/5/2013: # <u>2</u> Corrected Proposed Order) (gsg,). (Entered: 11/04/2013)
11/05/2013	<u>43</u>	MOTION to Dismiss <i>on the Basis of Qualified Immunity</i> by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Anastasiadis, Demetri) (Entered: 11/05/2013)

11/06/2013	<u>44</u>	Amended MOTION to Dismiss <i>on the Basis of Qualified Immunity</i> by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Anastasiadis, Demetri) (Entered: 11/06/2013)
11/06/2013	<u>45</u>	DISCOVERY ORDER. Signed by Magistrate Judge John D. Love on 11/06/13. (mll,) (Entered: 11/06/2013)
11/06/2013	<u>46</u>	ORDER REGARDING E-DISCOVERY. Signed by Magistrate Judge John D. Love on 11/06/13. (mll,) (Entered: 11/06/2013)
11/06/2013	<u>47</u>	AGREED PROTECTIVE ORDER. Signed by Magistrate Judge John D. Love on 11/06/13. (mll,) (Entered: 11/06/2013)
11/06/2013	<u>49</u>	Minute Entry for proceedings held before Magistrate Judge John D. Love: Scheduling Conference held on 11/6/2013. (Court Reporter Mechele Morris.) (mjm,) (Entered: 11/10/2013)
11/07/2013	<u>48</u>	REPLY to Response to Motion re <u>38</u> MOTION to Stay <i>Discovery</i> filed by <i>Brad Livingston, William Stephens, Rick Thaler</i> . (Anastasiadis, Demetri) (Entered: 11/07/2013)
11/15/2013	<u>50</u>	MOTION for Protective Order by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Civil Cover Sheet 4, # <u>5</u> Exhibit 4, # <u>6</u> Civil Cover Sheet 5, # <u>7</u> Exhibit 5, # <u>8</u> Civil Cover Sheet 6, # <u>9</u> Exhibit 6, # <u>10</u> Civil Cover Sheet 7, # <u>11</u> Exhibit 7, # <u>12</u> Exhibit 8, # <u>13</u> Exhibit 8, # <u>14</u> Civil Cover Sheet 9, # <u>15</u> Exhibit 9, # <u>16</u> Civil Cover Sheet 10, # <u>17</u> Exhibit 10, # <u>18</u> Text of Proposed Order)(Anastasiadis, Demetri) (Entered: 11/15/2013)
11/21/2013	<u>51</u>	RESPONSE to Motion re <u>43</u> MOTION to Dismiss <i>on the Basis of Qualified Immunity</i> , <u>44</u> Amended MOTION to Dismiss <i>on the Basis of Qualified Immunity</i> filed by <i>Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb</i> . (Attachments: # <u>1</u> Text of Proposed Order) (Edwards, Jeffrey) (Entered: 11/21/2013)
11/26/2013	<u>52</u>	NOTICE of Attorney Appearance by Wayne Nicholas Krause on behalf of Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb (Krause, Wayne) (Entered: 11/26/2013)
11/26/2013	<u>53</u>	NOTICE of Attorney Appearance by Brian Rolland McGiverin on behalf of Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb (McGiverin, Brian) (Entered: 11/26/2013)
11/27/2013	<u>54</u>	DOCKET CONTROL ORDER. Amended Pleadings due by 7/11/2014. Discovery due by 7/16/2014. Identify Trial Witnesses by 7/11/2014. Dispositive Motions due by 7/25/2014. Joint Pretrial Order due by 8/19/2014. Pretrial Conference set for 10/15/2014 at 01:30 PM before Magistrate Judge John D. Love. Jury Selection set for 10/27/2014 at 09:00AM before Magistrate Judge John D. Love. Jury Trial set for 11/3/2014 at 09:00 AM before Magistrate Judge John D. Love. Signed by Magistrate Judge John D. Love on 11/27/2013. (gsg) (Entered: 11/27/2013)
11/27/2013	<u>55</u>	

		REPLY to Response to Motion re <u>44</u> Amended MOTION to Dismiss <i>on the Basis of Qualified Immunity</i> filed by Brad Livingston, William Stephens, Rick Thaler. (Anastasiadis, Demetri) (Entered: 11/27/2013)
12/02/2013	<u>56</u>	RESPONSE to Motion re <u>50</u> MOTION for Protective Order <i>filed by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5A, # <u>6</u> Exhibit 5B, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Text of Proposed Order)(Edwards, Jeffrey) (Additional attachment(s) added on 12/4/2013: # <u>12</u> Corrected Proposed Order) (gsg,). (Entered: 12/02/2013)
12/02/2013	<u>57</u>	REPORT AND RECOMMENDATIONS. Recommended that Defendants Livingston, Stephens and Thaler's Motion and Amended Motion to Dismiss on the Basis of Qualified Immunity (docket entries # <u>43</u> and <u>44</u>) and Defendant Dr. Murray's Amended Motion to Dismiss Under Fed. R. Civ. P. 12(b)(6) (docket entry # <u>35</u>) be DENIED at this stage in favor of developing the record through limited discovery and review of qualified immunity defenses at the summary judgment stage. To the extent that Defendants' Livingston, Stephens and Thaler's Opposed Motion to Stay and Objections to Plaintiffs' Discovery (docket entry # <u>38</u>), and Defendant Dr. Murray's Motion to Dismiss seek relief from or a stay of all discovery, such a stay should be DENIED IN PART and GRANTED IN PART to the extent that discovery is limited to the subject of Defendants' defenses of qualified immunity, and that such discovery to be completed by 2-06-2014. A stay should be granted as to discovery for all other purposes until the claim of qualified immunity is decided. Signed by Magistrate Judge John D. Love on 12/02/13. (mll,) (Entered: 12/03/2013)
12/04/2013	<u>58</u>	Joint MOTION for Extension of Time to File <i>Designation of Mediator</i> by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb. (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 12/04/2013)
12/06/2013	<u>59</u>	NOTICE of Designation of Mediator, Bob Black, filed by Casey Akins, Christan Carson, Robert Eason, Estate of Robert Allen Webb, Tommie Haynes, Brad Livingston, Owen Murray, William Stephens, Texas Department of Criminal Justice, Rick Thaler, University of Texas Medical Branch, Edna Webb, Kevin Webb. (Edwards, Jeffrey) (Entered: 12/06/2013)
12/06/2013	<u>60</u>	Supplemental MOTION to Quash <i>the Deposition of Livingston and Stay Discovery</i> by Brad Livingston. (Attachments: # <u>1</u> Exhibit 1)(Anastasiadis, Demetri) (Entered: 12/06/2013)
12/13/2013	<u>61</u>	OBJECTION to <u>57</u> Report and Recommendations by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Appendix Part 1 of 4, # <u>2</u> Appendix Part 2 of 4, # <u>3</u> Appendix Part 3 of 4, # <u>4</u> Appendix Part 4 of 4) (Anastasiadis, Demetri) (Entered: 12/13/2013)
12/16/2013	<u>62</u>	OBJECTION to <u>57</u> Report and Recommendations <i>Of the Magistrate Judge</i> by Owen Murray. (Hime, Erika) (Entered: 12/16/2013)
12/17/2013	<u>63</u>	

		OBJECTION to <u>57</u> Report and Recommendations <i>Amended</i> by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Appendix Index, # <u>2</u> Exhibit Part 1 of 4, # <u>3</u> Exhibit Part 2 of 4, # <u>4</u> Exhibit Part 3 of 4, # <u>5</u> Exhibit Part 4 of 4)(Anastasiadis, Demetri) (Entered: 12/17/2013)
12/18/2013	<u>64</u>	RESPONSE to <u>63</u> Objection to Report and Recommendations, <u>61</u> Objection to Report and Recommendations, <i>filed by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Edwards, Jeffrey) (Entered: 12/18/2013)
12/19/2013	<u>65</u>	NOTICE by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb re <u>11</u> Reply to Response to Motion (Attachments: # <u>1</u> Exhibit 1)(Edwards, Jeffrey) (Entered: 12/19/2013)
12/19/2013	<u>66</u>	***FILED IN ERROR PER ATTORNEY. DISREGARD.*** Defendant Owen Murray's ANSWER to Complaint and Jury Demand to Plaintiff's First Amended Original Complaint by Owen Murray.(Mase, Lacey) Modified on 12/19/2013 (gsg). (Entered: 12/19/2013)
12/19/2013	<u>67</u>	Defendant Owen Murray's ANSWER to Complaint and Jury Demand to Plaintiff's First Amended Original Complaint by Owen Murray.(Mase, Lacey) (Entered: 12/19/2013)
12/19/2013	<u>68</u>	DEMAND for Trial by Jury by Owen Murray. (Mase, Lacey) (Entered: 12/19/2013)
12/21/2013	<u>69</u>	RESPONSE to <u>61</u> Objection to Report and Recommendations, <i>filed by Brad Livingston, William Stephens, Rick Thaler</i> . (Anastasiadis, Demetri) (Entered: 12/21/2013)
12/31/2013	<u>70</u>	NOTICE by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb re <u>43</u> MOTION to Dismiss <i>on the Basis of Qualified Immunity Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit)(Edwards, Jeffrey) (Entered: 12/31/2013)
01/03/2014	<u>71</u>	RESPONSE to <u>70</u> Notice (Other) <i>Plaintiffs' Notice of Supplemental Authority filed by Brad Livingston, William Stephens, Rick Thaler</i> . (Anastasiadis, Demetri) (Entered: 01/03/2014)
01/14/2014	<u>72</u>	RESPONSE to <u>65</u> Notice (Other) (<i>Plaintiff's Notice of Supplemental Authority and Amended Motion to Dismiss</i>) <i>filed by University of Texas Medical Branch</i> . (Coogan, Kim) (Entered: 01/14/2014)
01/14/2014	<u>73</u>	Amended MOTION to Dismiss by University of Texas Medical Branch. (Attachments: # <u>1</u> Text of Proposed Order)(Coogan, Kim) (Entered: 01/14/2014)
01/16/2014	<u>74</u>	NOTICE by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb re <u>73</u> Amended MOTION to Dismiss <i>of Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit 1)(Edwards, Jeffrey) (Entered: 01/16/2014)
01/17/2014	<u>75</u>	MOTION for Extension of Time to Complete Discovery by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb.

		(Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 01/17/2014)
01/17/2014	<u>76</u>	NOTICE by Brad Livingston, William Stephens, Rick Thaler re <u>63</u> Objection to Report and Recommendations, (Anastasiadis, Demetri) (Entered: 01/17/2014)
01/20/2014	<u>77</u>	RESPONSE to <u>76</u> Notice (Other) filed by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Edwards, Jeffrey) (Entered: 01/20/2014)
01/21/2014	<u>78</u>	RESPONSE to Motion re <u>73</u> Amended MOTION to Dismiss filed by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 01/21/2014)
01/22/2014	<u>79</u>	RESPONSE to <u>77</u> Response to Non-Motion Notice by Brad Livingston, William Stephens, Rick Thaler. (Anastasiadis, Demetri) (Entered: 01/22/2014)
02/14/2014		Case Reassigned to Judge Michael H. Schneider and Magistrate Judge John D. Love. Magistrate Judge John D. Love no longer assigned to the case as presiding judge. (mll,) (Entered: 02/14/2014)
02/18/2014	<u>80</u>	Supplemental MOTION to Dismiss by Owen Murray. (Attachments: # <u>1</u> Text of Proposed Order)(Molinare, Shanna) (Entered: 02/18/2014)
03/03/2014	<u>81</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>80</u> Supplemental MOTION to Dismiss by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 03/03/2014)
03/06/2014	<u>82</u>	ORDERED that Plaintiff's <u>81</u> unopposed motion to extend deadline to respond to defendant Murray's supplemental motion to dismiss is hereby granted. Plaintiff shall file his response brief on or before 3/14/2014. Signed by Magistrate Judge John D. Love on 3/6/2014. (bjc) (Entered: 03/07/2014)
03/14/2014	<u>83</u>	AMENDED COMPLAINT against Robert Eason, Tommie Haynes, Brad Livingston, Owen Murray, William Stephens, Texas Department of Criminal Justice, Rick Thaler, University of Texas Medical Branch, filed by Casey Akins, Christan Carson, Kevin Webb, Edna Webb, Estate of Robert Allen Webb.(Edwards, Jeffrey) (Entered: 03/14/2014)
03/14/2014	<u>84</u>	RESPONSE to Motion re <u>80</u> Supplemental MOTION to Dismiss Under FRCP 12(b)(6) filed by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Text of Proposed Order) (Edwards, Jeffrey) (Entered: 03/14/2014)
03/17/2014	<u>85</u>	ORDER ADOPTING IN PART REPORT AND RECOMMENDATIONS for <u>57</u> Report and Recommendations, to the extent that discovery on the issue of qualified immunity, on a limited basis, shall proceed; and is REJECTED IN PART to the extent that it recommends denying Defendant Livingston, Stephens and Thaler's Motion and Amended Motion to Dismiss on the Basis of Qualified Immunity <u>43</u> & <u>44</u> ; and Defendant Dr. Murray's Amended Motion to Dismiss Under Fed. R. Civ. P. 12(b)(6) <u>35</u> . Instead, the Magistrate

		Judge is directed to DEFER and CARRY the issue of qualified immunity until it may be decided. Defendants Livingston, Stephens and Thaler's Opposed Motion to Stay and Objection to Plaintiff's Discovery <u>38</u> , Opposed Motion to Quash Deposition Notice/Subpoena Duces Tecum and Motion for Protective Order on the Basis of Qualified Immunity <u>50</u> , and Supplement to Pending Opposed Motion to Quash the Deposition of Brad Livingston and Stay Discovery <u>60</u> are GRANTED IN PART and DENIED IN PART. Deposition of Defendant Livingston is QUASHED without prejudice. Joint Motion to Extend Deadline to Complete Qualified Immunity Discovery and Qualified Immunity Dispositive Motion Deadline is GRANTED. ORDERED that the parties meet and confer on the issue of consolidation of heat-related cases pending before this District and file a joint recommendation in this case within seven days of the date of this ORDER. Signed by Judge Michael H. Schneider on 3/14/14. (mjc,) (Entered: 03/17/2014)
03/17/2014		Case assigned to Magistrate Judge John D. Love. Judge Michael H. Schneider no longer assigned to the case. (bjc) (Entered: 04/03/2014)
03/24/2014	<u>86</u>	Joint MOTION Status Conference <i>and Recommendation Regarding Consolidation</i> by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Edwards, Jeffrey) (Additional attachment(s) added on 3/25/2014: # <u>1</u> Text of Proposed Order) (sm,). (Entered: 03/24/2014)
03/31/2014	<u>87</u>	Emergency MOTION to Compel <i>Responses to Requests for Production</i> by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 03/31/2014)
04/01/2014	<u>88</u>	ORDERED that the cases Webb v Livingston et al, No. 6:13cv711; Adams et al v. Livingston et al, No. 6:13cv712 and Togonidze v Livingston et al, No 6:14cv93 are hereby consolidated for discovery and scheduling consistent with the parameters outlined herein. Filings in the consolidated action should be made to the Webb case. Ordered that a Joint Conference is set in the Courtroom of the undersigned at the Federal Courthouse in Tyler, Texas, at 1:30 p.m. on Monday, April 7, 2014. The parties' motion for a scheduling conference contained in the joint recommendation (docket entry #86) is granted. Ordered that the parties shall submit their proposed scheduling order by April 3, 2014; further, that the Defendants shall file their response, if any, to Plaintiffs Emergency Motion to Compel Responses to Requests for Production from Defendant UTMB (Webb docket entry #87) by April 3, 2014, in order to take the motion up at the Joint Scheduling Conference. Signed by Magistrate Judge John D. Love on 4/1/2014. (bjc) (Entered: 04/01/2014)
04/03/2014	<u>89</u>	RESPONSE to Motion re <u>87</u> Emergency MOTION to Compel <i>Responses to Requests for Production filed by University of Texas Medical Branch</i> . (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Coogan, Kim) (Entered: 04/03/2014)
04/03/2014	<u>90</u>	Submission of Proposed Agreed Docket Control/Scheduling order by Revoyda Dodd, Doris Edwards, Tully Flowers, Debra Gilmore, Reginald Goings,

		Robert Leonard, Brandon Matthews, Sarah Raines, Matthew Seda . (Garcia, Bruce) (Entered: 04/03/2014)
04/04/2014	<u>91</u>	REPLY to Response to Motion re <u>87</u> Emergency MOTION to Compel Responses to Requests for Production filed by Casey Akins, Christan Carson, Estate of Robert Allen Webb, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Exhibit 6, # <u>2</u> Exhibit 7)(Edwards, Jeffrey) (Entered: 04/04/2014)
04/04/2014	<u>92</u>	MOTION to Dismiss <i>Plaintiffs' Second Amended Complaint</i> by Brad Livingston, William Stephens, Rick Thaler. (Wells, Maurice) (Additional attachment(s) added on 4/7/2014: # <u>1</u> Text of Proposed Order) (sm,). (Additional attachment(s) added on 4/8/2014: # <u>2</u> REVISED ORDER (containing all cases)) (sm,). (Entered: 04/04/2014)
04/07/2014	<u>93</u>	***FILED IN ERROR, PLEASE IGNORE***Proposed Pretrial Order by Brad Livingston, William Stephens, Rick Thaler. (Wells, Maurice) Modified on 4/7/2014 (sm,). (Entered: 04/07/2014)
04/07/2014		***FILED IN ERROR, ORDER FILED SEPARATELY USING WRONG EVENT, CLERK HAS ADDED THIS ORDER TO #92 MOTION. Document # 93, Proposed pretrial order. PLEASE IGNORE.*** (sm,) (Entered: 04/07/2014)
04/07/2014	<u>94</u>	Minute Entry for proceedings held before Magistrate Judge John D. Love: Status Conference held on 4/7/2014. (Court Reporter, digitally recorded by M. Morris.) (mjm,) (Entered: 04/08/2014)
04/08/2014	<u>95</u>	ORDER re <u>87</u> Emergency MOTION to Compel Responses to Requests for Production filed by Casey Akins, Edna Webb, Kevin Webb, Christan Carson, Estate of Robert Allen Webb. Signed by Magistrate Judge John D. Love on 4/8/2014. (gsg) (Entered: 04/09/2014)
04/09/2014	<u>96</u>	REPORT AND RECOMMENDATIONS. It is RECOMMENDED that the District Court INCORPORATE BY REFERENCE and MAKE APPLICABLE the Order issued at docket entry #85 to the Second Amended Complaint; Defendants Livingston, Thaler and Stephens' Motion to Dismiss the Second Amended Complaint; and, to the extent necessary, to Defendant Dr. Murray's Supplemental Motion to Dismiss and all other proceedings subsequent to the filing of the Second Amended Complaint. Defendants Livingston, Thaler and Stephens' Motion to Dismiss Plaintiffs' Second Amended Complaint <u>92</u> be DEFERRED and CARRIED and that discovery proceed with regard to these Defendants, limited to the subject of qualified immunity, with a determination on the issue of qualified immunity to be made upon completion of such discovery. To the extent that Defendant Dr. Murray's Supplemental Motion to Dismiss <u>80</u> is not already specifically deferred and carried by virtue of the District Court's Order, it should be included on the same terms. Signed by Magistrate Judge John D. Love on 04/08/14. (mll,) (Entered: 04/09/2014)
04/09/2014	<u>97</u>	MOTION to Dismiss <i>Togonidze's First Amended Complaint on the Basis of Qualified Immunity</i> by Brad Livingston, William Stephens, Rick Thaler.

		(Attachments: # <u>1</u> Text of Proposed Order)(Anastasiadis, Demetri) (Entered: 04/09/2014)
04/10/2014	<u>98</u>	REPORT AND RECOMMENDATION recommending that Defendant UTMB's Motion to dismiss and Amended Motion to dismiss (docket entries #5,73) be denied. Signed by Magistrate Judge John D. Love on 4/10/2014. (bjc) (Entered: 04/10/2014)
04/11/2014	<u>99</u>	REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE recommending that Defendant Brad Livingston, Rick Thaler and William Stephens' <u>97</u> MOTION to Dismiss Togonidze's first amended complaint on the basis of qualified immunity should be deferred and carried until the issue of qualified immunity may be decided. Signed by Magistrate Judge John D. Love on 4/11/14. (dlc,) (Entered: 04/11/2014)
04/11/2014	<u>100</u>	ANSWER to <u>83</u> Amended Complaint, by Brad Livingston, William Stephens, Rick Thaler.(Wells, Maurice) (Entered: 04/11/2014)
04/14/2014	<u>101</u>	Opposed MOTION <i>for In Camera Review of Priviledged Documents</i> by Texas Department of Criminal Justice. (Attachments: # <u>1</u> Text of Proposed Order) (Garcia, Bruce) (Entered: 04/14/2014)
04/14/2014	<u>102</u>	Opposed MOTION OPPOSED MOTION FOR IN CAMERA INSPECTION OF PRIVILEGED DOCUMENTS by University of Texas Medical Branch. (Attachments: # <u>1</u> Text of Proposed Order)(Coogan, Kim) (Entered: 04/14/2014)
04/16/2014	<u>103</u>	RESPONSE to Motion re <u>101</u> Opposed MOTION <i>for In Camera Review of Priviledged Documents filed by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, Gwen Togonidze, Edna Webb, Kevin Webb.</i> (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 04/16/2014)
04/16/2014	<u>104</u>	RESPONSE to Motion re <u>102</u> Opposed MOTION OPPOSED MOTION FOR IN CAMERA INSPECTION OF PRIVILEGED DOCUMENTS <i>filed by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, Gwen Togonidze, Edna Webb, Kevin Webb.</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 04/16/2014)
04/17/2014	<u>105</u>	NOTICE by University of Texas Medical Branch <i>of Designation of Co-Counsel</i> (Lantiegne, Calysta) (Entered: 04/17/2014)
04/17/2014	<u>106</u>	MOTION for Sanctions <i>Discovery</i> by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick

		James, Kristy James, Krystal James, Mary Lou James, Gwen Togonidze, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 04/17/2014)
04/22/2014	<u>107</u>	OBJECTION to <u>96</u> Report and Recommendations <i>Opposed Objections to Doc. 50, April 8, 2014 Report and Recommendation of Magistrate Judge in Togonidze v. Livingston, et al., and Webb v. Livingston, et al.</i> by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Appendix Part 1 of 4, # <u>2</u> Appendix Part 2 of 4, # <u>3</u> Appendix Part 3 of 4, # <u>4</u> Appendix Part 4 of 4)(Anastasiadis, Demetri) (Entered: 04/22/2014)
04/22/2014	<u>108</u>	Opposed MOTION for Leave to File <i>Objections to Doc. 50, April 8, 2014 Report and Recommendation of Magistrate Judge In Togonidze v. Livingston, et al., and Webb v. Livingston, et al., that exceeds the Eight (8) Page Limitation of Eastern District of Texas Local Rule 72 (c) and Move for an Extension of 10 days within which to File Such Objections</i> by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Appendix Part 1 of 4, # <u>2</u> Appendix Part 2 of 4, # <u>3</u> Appendix Part 3 of 4, # <u>4</u> Appendix Part 4 of 4, # <u>5</u> Text of Proposed Order)(Anastasiadis, Demetri) (Entered: 04/22/2014)
04/22/2014	<u>109</u>	OBJECTION to <u>96</u> Report and Recommendations <i>Objections to Doc. 50, April 8, 2014 Report and Recommendation of Magistrate Judge in Togonidze v. Livingston, et al</i> by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Appendix Part 1 of 4, # <u>2</u> Appendix Part 2 of 4, # <u>3</u> Appendix Part 3 of 4, # <u>4</u> Appendix Part 4 of 4)(Anastasiadis, Demetri) (Entered: 04/22/2014)
04/22/2014	<u>110</u>	ORDERED that Plaintiffs' <u>87</u> Emergency motion to compel production is hereby granted inasmuch as the Ct has found the records that were delivered to the Ct and discussed herein to be relevant. Dfts TDCJ and UTMB shall produce the documents to Plaintiffs on or before 4/25/2014. Ordered that dfts TDCJ and UTMB's motions for in camera review of privileged documents (docket entries #101 and #102, respectively) are hereby granted. Ordered that dft UTMB file a response to Plaintiffs' Motion for discovery sanctions. Signed by Magistrate Judge K. Nicole Mitchell on 4/22/2014. (bjc,) (Entered: 04/23/2014)
04/23/2014	<u>111</u>	OBJECTION to <u>96</u> Report and Recommendations by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Appendix Part 1 of 4, # <u>2</u> Appendix Part 2 of 4, # <u>3</u> Appendix Part 3 of 4, # <u>4</u> Appendix Part 4 of 4) (Wells, Maurice) (Entered: 04/23/2014)
04/23/2014	<u>112</u>	OBJECTION to <u>96</u> Report and Recommendations by Brad Livingston, William Stephens, Rick Thaler. (Wells, Maurice) (Entered: 04/23/2014)
04/23/2014	<u>114</u>	REVISED DOCKET CONTROL ORDER: Pretrial Conference set for 5/20/2015 01:30 PM in Ctrm 207 (Tyler) before Magistrate Judge John D. Love. Proposed Jury instructions/verdict due by 3/17/2015. Jury Selection set for 6/1/2015 09:00 AM in Ctrm 207 (Tyler) before Magistrate Judge John D. Love. Jury Trial set for 6/8/2015 09:00 AM in Ctrm 207 (Tyler) before Magistrate Judge John D. Love. Mediation Completion due by 4/15/2015.

		Proposed Joint Final Pretrial Order due by 3/17/2015.. Signed by Magistrate Judge John D. Love on 4/23/2014. (bjc) (Entered: 04/24/2014)
04/24/2014	<u>113</u>	PAPER TRANSCRIPT REQUEST by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, Gwen Togonidze, Edna Webb, Kevin Webb for proceedings held on 4/7/14 Scheduling Conference before Judge John Love. (Edwards, Jeffrey) (Entered: 04/24/2014)
04/25/2014	<u>115</u>	NOTICE by Brad Livingston <i>Brad Livingston's Objections to 2nd Set of Discovery Requests and Opposed Motion for Protective Order in Webb v. Livingston</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Appendix Part 1 of 4, # <u>4</u> Appendix Part 2 of 4, # <u>5</u> Appendix Part 3 of 4, # <u>6</u> Appendix Part 4 of 4)(Anastasiadis, Demetri) (Entered: 04/25/2014)
04/25/2014	<u>116</u>	Opposed MOTION for Protective Order <i>Brad Livingston's Objections to 2nd Set of Discovery Requests and Opposed Motion for Protective Order in Webb v. Livingston</i> by Brad Livingston. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Appendix Part 1 of 4, # <u>4</u> Appendix Part 2 of 4, # <u>5</u> Appendix Part 3 of 4, # <u>6</u> Appendix Part 4 of 4, # <u>7</u> Text of Proposed Order)(Anastasiadis, Demetri) (Entered: 04/25/2014)
04/25/2014	<u>117</u>	OBJECTION to <u>98</u> Report and Recommendations by University of Texas Medical Branch. (Lantiegne, Calysta) (Entered: 04/25/2014)
04/25/2014	<u>118</u>	NOTICE of Discovery Disclosure by Owen Murray, University of Texas Medical Branch <i>First Supplemental Disclosure</i> (Molinare, Shanna) (Entered: 04/25/2014)
04/28/2014	<u>119</u>	RESPONSE to Motion re <u>108</u> Opposed MOTION for Leave to File <i>Objections to Doc. 50, April 8, 2014 Report and Recommendation of Magistrate Judge In Togonidze v. Livingston, et al., and Webb v. Livingston, et al., that exceeds the Eight (8) Page Limitation of Eastern District of filed by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, Gwen Togonidze, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 04/28/2014)</i>
04/29/2014	<u>120</u>	MOTION for Protective Order <i>and Objection to Attached 2nd Set of Discovery Requests</i> by William Stephens. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3 - Part 1 of 4, # <u>4</u> Exhibit 3 - Part 2 of 4, # <u>5</u> Exhibit 3 - Part 3 of 4, # <u>6</u> Exhibit 3 - Part 4 of 4, # <u>7</u> Exhibit 4, # <u>8</u> Text of Proposed Order) (Anastasiadis, Demetri) (Entered: 04/29/2014)
05/01/2014		Motion/Report and Recommendation Assigned to District Judge Michael H. Schneider for disposition re <u>98</u> Report and Recommendations, <u>96</u> Report and

		Recommendations, <u>99</u> Report and Recommendations. This case remains assigned to the magistrate judge. (mjc,) (Entered: 05/01/2014)
05/01/2014	<u>121</u>	Opposed MOTION to Amend/Correct <i>for Leave to File Objections to Doc. 50, April 8, 2014, Report and Recommendation of Magistrate Judge in Togonidze v. Livingston, et al, and Webb v. Livingston, et al, that exceeds the eight page limitation of Eastern District of Texas Local Rul 72 (c)</i> by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Exhibit 1 part 1 of 3, # <u>2</u> Exhibit 1 part 2 of 3, # <u>3</u> Exhibit 1 part 3 of 3, # <u>4</u> Exhibit 2 part 1 of 4, # <u>5</u> Exhibit 2 part 2 of 4, # <u>6</u> Exhibit 2 part 3 of 4, # <u>7</u> Exhibit 2 part 4 of 4, # <u>8</u> Exhibit 3 part 1 of 4, # <u>9</u> Exhibit 3 part 2 of 4, # <u>10</u> Exhibit 3 part 3 of 4, # <u>11</u> Exhibit 3 part 4 of 4, # <u>12</u> Text of Proposed Order)(Anastasiadis, Demetri) (Entered: 05/01/2014)
05/02/2014	<u>122</u>	Additional Attachments to Main Document: <u>121</u> Opposed MOTION to Amend/Correct <i>for Leave to File Objections to Doc. 50, April 8, 2014, Report and Recommendation of Magistrate Judge in Togonidze v. Livingston, et al, and Webb v. Livingston, et al, that exceeds the eight page limitation of Easte..</i> (Anastasiadis, Demetri) (Entered: 05/02/2014)
05/02/2014	<u>123</u>	MOTION for Protective Order <i>and Objections to Attached Second Set of Discovery Requests and Opposed Motion for Protective Order in Webb v. Livingston, et al.</i> , by Rick Thaler. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Anastasiadis, Demetri) (Entered: 05/02/2014)
05/02/2014	<u>124</u>	RESPONSE to Motion re <u>106</u> MOTION for Sanctions <i>Discovery filed by University of Texas Medical Branch.</i> (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Text of Proposed Order)(Molinare, Shanna) (Entered: 05/02/2014)
05/05/2014	<u>125</u>	ORDER ADOPTING THE REPORT AND RECOMMENDATIONS OF THE US MAGISTRATE JUDGE. The Report and Recommendation <u>98</u> is ADOPTED. UTMB's Motion to Dismiss <u>5</u> and Amended Motion to Dismiss <u>73</u> are DENIED. Signed by Judge Michael H. Schneider on 05/05/14. (mll,) (Entered: 05/05/2014)
05/05/2014	<u>126</u>	ORDER ADOPTING REPORT AND RECOMMENDATIONS. The Report and Recommendation <u>96</u> is ADOPTED. This Court's Order <u>85</u> issued 3-13-2014, is INCORPORATED HEREIN BY REFERENCE and is hereby MADE APPLICABLE to the Second Amended Complaint <u>83</u> ; to Defendants Livingston, Thaler and Stephens' Motion to Dismiss the Second Amended Complaint <u>92</u> ; to Defendant Dr. Murray's Supplemental Motion to Dismiss <u>80</u> ; and all other proceedings subsequent to the filing of the Second Amended Complaint. The issue of qualified immunity, as expressed in Defendants' respective Motions to Dismiss, are DEFERRED and CARRIED and discovery limited to the issue of qualified immunity shall proceed, with a determination on the issue of qualified immunity to be made upon completion of such discovery. Signed by Judge Michael H. Schneider on 05/05/14. (mll,) (Entered: 05/05/2014)
05/06/2014	<u>127</u>	ORDER ON REPORT AND RECOMMENDATIONS OF THE US MAGISTRATE JUDGE; granting <u>108</u> Motion for Leave to File objections

		that exceed eight page limit and to extend the deadline to file objections. The Executive Defendants' motion to dismiss on the basis of qualified immunity (Civil Action No. 6:14cv93, docket entry #30) is DENIED as moot. The Executive Defendants' motion to stay and objections to the Plaintiffs' discovery (Civil Action No. 6:14cv93, docket entry #29) is GRANTED in part and DENIED in part, and that discovery strictly limited to the issue of qualified immunity should be allowed to proceed in this case. The specific discovery orders shall be issued in Civil Action No. 6:13cv711. Signed by Judge Michael H. Schneider on 05/05/14. (mll,) (Entered: 05/06/2014)
05/08/2014	<u>128</u>	Opposed MOTION for Leave to File Excess Pages <i>for Reply to Motion for Discovery Sanctions Against UTMB</i> by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, Gwen Togonidze, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit 1, # <u>3</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 05/08/2014)
05/09/2014	<u>129</u>	MOTION for Protective Order by University of Texas Medical Branch. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Text of Proposed Order)(Molinare, Shanna) (Entered: 05/09/2014)
05/09/2014	<u>130</u>	RESPONSE to Motion re <u>120</u> MOTION for Protective Order <i>and Objection to Attached 2nd Set of Discovery Requests</i> , <u>116</u> Opposed MOTION for Protective Order <i>Brad Livingston's Objections to 2nd Set of Discovery Requests and Opposed Motion for Protective ORder in Webb v. Livingston</i> , <u>123</u> MOTION for Protective Order <i>and Objections to Attached Second Set of Discovery Requests and Opposed Motion for Protective Order in Webb v. Livingston, et al., filed by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, Gwen Togonidze, Edna Webb, Kevin Webb</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 05/09/2014)
05/15/2014	<u>131</u>	RESPONSE to <u>130</u> Response to Motion,,,, <i>Defendants' Reply to Plaintiffs' Response to Executive Defendants' Objections to Discovery and Motions for Protective Orders</i> by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Anastasiadis, Demetri) (Entered: 05/15/2014)
05/16/2014	<u>132</u>	SUR-REPLY to Reply to Response to Motion re <u>106</u> MOTION for Sanctions <i>Discovery filed by University of Texas Medical Branch</i> . (Mase, Lacey) (Entered: 05/16/2014)
05/16/2014	<u>133</u>	MOTION to Quash <i>Deposition Notices/Subpoenas Duces Tecum and Motion for Protective Order on the Basis of Qualified Immunity</i> by Brad Livingston,

		William Stephens, Rick Thaler. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4 - part 1 of 4, # <u>5</u> Exhibit 4 - part 2 of 4, # <u>6</u> Exhibit 4 - part 3 of 4, # <u>7</u> Exhibit 4 - part 4 of 4, # <u>8</u> Text of Proposed Order) (Anastasiadis, Demetri) (Entered: 05/16/2014)
05/19/2014	<u>134</u>	NOTICE by University of Texas Medical Branch of <i>Agreed Protective Order</i> (Coogan, Kim) (Entered: 05/19/2014)
05/19/2014	<u>135</u>	NOTICE by University of Texas Medical Branch of <i>Agreed Protective Order</i> (Coogan, Kim) (Entered: 05/19/2014)
05/21/2014	<u>136</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Status Conference held on April 7, 2014 before Judge John Love. Court Reporter: Christina Bickham, Telephone number: 409-654-2891. <P>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) business days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.txed.uscourts.gov <P> Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Redaction Request due 6/16/2014. Redacted Transcript Deadline set for 6/26/2014. Release of Transcript Restriction set for 8/22/2014. (clb,) (Entered: 05/21/2014)
05/21/2014	<u>137</u>	Unopposed MOTION to Withdraw <u>129</u> MOTION for Protective Order by University of Texas Medical Branch. (Attachments: # <u>1</u> Text of Proposed Order)(Lantiegne, Calysta) (Entered: 05/21/2014)
05/23/2014	<u>138</u>	Opposed MOTION to Quash <i>Plaintiff's Notice of Intention to Take Oral and Videotaped Deposition of Nancy Betts and Subpoena Duces Tecum and Motion for Protective Order</i> by Nancy Betts. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Mase, Lacey) (Entered: 05/23/2014)
05/23/2014	<u>139</u>	Opposed MOTION to Quash <i>Plaintiffs' Notice of Intention to Take Oral and Videotaped Deposition of Linda McKnight and Subpoena Duces Tecum and Motion for Protective Order</i> by Linda McKnight. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Mase, Lacey) (Entered: 05/23/2014)
05/23/2014	<u>140</u>	Opposed MOTION to Quash <i>Plaintiffs' Notice of Intention to Take Oral and Videotaped Deposition of Steven Fields and Subpoena Duces Tecum and Motion for Protective Order</i> by Steven Fields. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Text of Proposed Order)(Mase, Lacey) (Entered: 05/23/2014)
05/28/2014	<u>141</u>	RESPONSE to Motion re <u>133</u> MOTION to Quash <i>Deposition Notices/Subpoenas Duces Tecum and Motion for Protective Order on the Basis of Qualified Immunity</i> filed by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, Gwen

		<i>Togonidze, Edna Webb, Kevin Webb</i> . (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Text of Proposed Order) (Edwards, Jeffrey) (Entered: 05/28/2014)
06/04/2014	<u>142</u>	REPLY to Response to Motion re <u>133</u> MOTION to Quash <i>Deposition Notices/Subpoenas Duces Tecum and Motion for Protective Order on the Basis of Qualified Immunity</i> filed by Brad Livingston, William Stephens, Rick Thaler. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Anastasiadis, Demetri) (Entered: 06/04/2014)
06/04/2014	<u>143</u>	NOTICE OF APPEAL by Brad Livingston, William Stephens, Rick Thaler. Filing fee \$ 505, receipt number 0540-4689999. (Anastasiadis, Demetri) (Entered: 06/04/2014)
06/04/2014	<u>144</u>	NOTICE OF APPEAL by Brad Livingston, William Stephens, Rick Thaler. Filing fee \$ 505, receipt number 0540-4690000. (Anastasiadis, Demetri) (Entered: 06/04/2014)
06/05/2014	<u>145</u>	NOTICE by University of Texas Medical Branch of <i>Vacation</i> (Coogan, Kim) (Entered: 06/05/2014)
06/06/2014	<u>146</u>	Unopposed MOTION to Amend/Correct <i>Scheduling Order</i> by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, Gwen Togonidze, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order) (Edwards, Jeffrey) (Entered: 06/06/2014)
06/09/2014	<u>147</u>	***FILED IN ERROR, this is a Amended Notice of Appeal, not notice, atty notified to refile, PLEASE IGNORE*** NOTICE by Brad Livingston, William Stephens, Rick Thaler re <u>143</u> Notice of Appeal (<i>Amended</i>) (Anastasiadis, Demetri) Modified on 6/9/2014 (dlc,). (Entered: 06/09/2014)
06/09/2014	<u>148</u>	***FILED IN ERROR, this is a Amended Notice of Appeal, not notice, atty notified to refile, PLEASE IGNORE*** NOTICE by Brad Livingston, William Stephens, Rick Thaler re <u>144</u> Notice of Appeal (<i>Amended</i>) (Anastasiadis, Demetri) Modified on 6/9/2014 (dlc,). (Entered: 06/09/2014)
06/09/2014		***FILED IN ERROR. Document # 147, 148, Notice of Appeal (Amended). Wrong event used, atty notified to refile. PLEASE IGNORE.*** (dlc,) (Entered: 06/09/2014)
06/09/2014	<u>152</u>	NOTICE of Docketing Notice of Appeal from USCA re <u>143</u> Notice of Appeal filed by William Stephens, Rick Thaler, Brad Livingston. USCA Case Number 14-40579 (dlc,) (Entered: 06/10/2014)

06/09/2014	<u>153</u>	NOTICE of Docketing Notice of Appeal from USCA re <u>144</u> Notice of Appeal filed by William Stephens, Rick Thaler, Brad Livingston. USCA Case Number 14-40586 (dlc,) (Entered: 06/10/2014)
06/10/2014	<u>149</u>	AMENDED NOTICE OF APPEAL as to <u>144</u> Notice of Appeal by Brad Livingston, William Stephens, Rick Thaler (Anastasiadis, Demetri) (Entered: 06/10/2014)
06/10/2014	<u>150</u>	AMENDED NOTICE OF APPEAL as to <u>143</u> Notice of Appeal by Brad Livingston, William Stephens, Rick Thaler (Anastasiadis, Demetri) (Entered: 06/10/2014)
06/10/2014	<u>151</u>	NOTICE of Attorney Appearance by Allan Kennedy Cook on behalf of Brad Livingston, William Stephens, Rick Thaler (Cook, Allan) (Entered: 06/10/2014)
06/12/2014	<u>154</u>	ORDER STAYING PROCEEDINGS, it is hereby ORDERED that the above-entitled and numbered consolidated cases are STAYED until time as the TDCJ Executive Defendants' interlocutory appeals are decided. Signed by Magistrate Judge John D. Love on 6/12/14. (dlc,) (Entered: 06/12/2014)
06/26/2014	<u>155</u>	NOTICE by Brad Livingston, William Stephens, Rick Thaler re <u>152</u> USCA Notice of Docketing ROA, Notice (Other) <i>Request for clerk record</i> (Anastasiadis, Demetri) (Entered: 06/26/2014)
07/03/2014		NOTICE of certification of eROA provided to 5th Circuit Court of Appeals. (dlc,) (Entered: 06/25/2014)
07/08/2014	<u>156</u>	Emergency MOTION Partially Lift Stay <i>and Request for Hearing</i> by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, Gwen Togonidze, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) (Entered: 07/08/2014)
07/08/2014	<u>157</u>	***DEFICIENT DOCUMENT, PLEASE IGNORE*** MOTION to Seal Document by Ashley Adams, Wanda Adams, Casey Akins, Christan Carson, Estate of Douglas Hudson, Estate of Kenneth Wayne James, Estate of Robert Allen Webb, Estate of Rodney Gerald Adams, Kenneth Evans, Cade Hudson, J.T., Arlette James, Carlette Hunter James, Jonathan James, Kendrick James, Kristy James, Krystal James, Mary Lou James, Gwen Togonidze, Edna Webb, Kevin Webb. (Attachments: # <u>1</u> Text of Proposed Order)(Edwards, Jeffrey) Modified on 7/9/2014 (sm,). (Entered: 07/08/2014)
07/08/2014	<u>158</u>	***DEFICIENT DOCUMENT, PLEASE IGNORE*** SEALED ADDITIONAL ATTACHMENTS to Main Document: <u>156</u> Emergency MOTION Partially Lift Stay <i>and Request for Hearing</i> . (Attachments: # <u>1</u> Appendix, # <u>2</u> Appendix)(Edwards, Jeffrey) Modified on 7/9/2014 (sm,). (Entered: 07/08/2014)
07/08/2014	<u>159</u>	

		NOTICE of Designation of Attorney in Charge to Cynthia Lee Burton on behalf of Revoyda Dodd, Robert Eason, Doris Edwards, Tully Flowers, Todd Foxworth, Debra Gilmore, Reginald Goings, Tommie Haynes, Robert Leonard, Brad Livingston, Brandon Matthews, Dennis Miller, Sarah Raines, William Stephens, Texas Department of Criminal Justice, Rick Thaler (Burton, Cynthia) (Entered: 07/08/2014)
07/09/2014		NOTICE of DEFICIENCY regarding the #157 Motion to Seal submitted No certificate of conference was included. Correction should be made by 1 business day and refilled. Motion is now TERMINATED. (sm,) (Entered: 07/09/2014)
07/09/2014		NOTICE of DEFICIENCY regarding the #158 Sealed Additional attachment to a motion submitted by Plaintiffs. No certificate of authority to seal was included and all exhibits were not attached and identified. Correction should be made by 1 business day and refilled after refiling motion to seal. (sm,) (Entered: 07/09/2014)

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